

ORDINANCE NO. 16-_____

BE IT ORDAINED by the City Council of the City of Huntsville, Alabama, as follows:

Section 1. The City Council of the City of Huntsville, Alabama, finds that an application has been presented to the City of Huntsville requesting a vacation of a portion of a utility and drainage easement; that the applicant has represented to the City of Huntsville that **Mungo Homes of Alabama, Inc.**, is the owner of the property across which said easement lies; that said easement, or portion being vacated, is not presently used and is no longer needed for a public or municipal purpose.

Section 2. Pursuant to the findings in Section 1 hereinabove, the Mayor of the City of Huntsville, Alabama, is hereby authorized, requested and directed to execute a quitclaim deed vacating the easement hereinafter described, said deed being substantially in words and figures as follows, to-wit:

**STATE OF ALABAMA
COUNTY OF MADISON**

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENT, that the undersigned **CITY OF HUNTSVILLE**, an Alabama Municipal corporation, hereinafter referred to as Grantor, in consideration of the sum of Ten Dollars (\$10.00) in hand paid by **MUNGO HOMES OF ALABAMA, INC**, An Alabama Corporation, hereinafter referred to as Grantee, and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, does hereby remise, release, quitclaim, and convey unto the Grantee, all of the Grantor's right, title, interest and claim in and to the following described real estate situated in the City of Huntsville, County of Madison, State of Alabama, to-wit:

ALL THAT PART OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 2 WEST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 3, THENCE SOUTH 89 DEGREES 54 MINUTES 52 SECONDS EAST, 50.03 FEET TO A POINT; THENCE NORTH 01 DEGREES 43 MINUTES 10 SECONDS EAST, 56.38 FEET TO A POINT; THENCE SOUTH 89 DEGREES 54 MINUTES 32 SECONDS EAST, 349.92 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED;

THENCE FROM THE POINT OF BEGINNING NORTH 10 DEGREES 11 MINUTES 32 SECONDS EAST, 477.17 FEET TO A POINT;

THENCE NORTH 00 DEGREES 05 MINUTES 28 SECONDS EAST, 195.42 FEET TO A POINT;

THENCE NORTH 22 DEGREES 50 MINUTES 01 SECONDS WEST, 119.36 FEET TO A POINT;

THENCE NORTH 00 DEGREES 33 MINUTES 47 SECONDS WEST, 333.53 FEET TO A POINT;

THENCE NORTH 17 DEGREES 38 MINUTES 05 SECONDS WEST, 30.12 FEET TO A POINT;

THENCE SOUTH 89 DEGREES 50 MINUTES 31 SECONDS WEST, 81.16 FEET TO A POINT;

THENCE NORTH 19 DEGREES 49 MINUTES 41 SECONDS WEST, 63.72 FEET TO A POINT;

THENCE NORTH 00 DEGREES 09 MINUTES 29 SECONDS WEST, 162.57 FEET TO A POINT;

THENCE SOUTH 89 DEGREES 50 MINUTES 31 SECONDS WEST, 156.99 FEET TO A POINT;

THENCE NORTH 01 DEGREES 52 MINUTES 16 SECONDS WEST, 150.82 FEET TO A POINT;

THENCE NORTH 05 DEGREES 14 MINUTES 46 SECONDS WEST, 142.20 FEET TO A POINT;

THENCE NORTH 86 DEGREES 38 MINUTES 47 SECONDS WEST, 98.21 FEET TO A POINT;

THENCE NORTH 00 DEGREES 32 MINUTES 42 SECONDS EAST, 82.60 FEET TO A POINT;

THENCE NORTH 89 DEGREES 43 MINUTES 50 SECONDS EAST, 129.61 FEET TO A POINT;

THENCE SOUTH 01 DEGREES 05 MINUTES 42 SECONDS WEST, 87.71 FEET TO A POINT;

THENCE SOUTH 05 DEGREES 48 MINUTES 21 SECONDS EAST, 144.68 FEET TO A POINT;

THENCE SOUTH 00 DEGREES 09 MINUTES 29 SECONDS EAST, 119.66 FEET TO A POINT;

THENCE NORTH 89 DEGREES 50 MINUTES 31 SECONDS EAST, 199.18 FEET TO A POINT;

THENCE SOUTH 00 DEGREES 09 MINUTES 29 SECONDS EAST, 192.50 FEET TO A POINT;
THENCE NORTH 89 DEGREES 50 MINUTES 31 SECONDS EAST, 91.03 FEET TO A POINT;
THENCE SOUTH 00 DEGREES 33 MINUTES 47 SECONDS EAST, 412.06 FEET TO A POINT;
THENCE SOUTH 22 DEGREES 50 MINUTES 01 SECONDS EAST, 119.65 FEET TO A POINT;
THENCE SOUTH 00 DEGREES 05 MINUTES 28 SECONDS WEST, 209.97 FEET TO A POINT;
THENCE SOUTH 10 DEGREES 11 MINUTES 32 SECONDS WEST, 649.09 FEET TO A POINT;
THENCE SOUTH 00 DEGREES 11 MINUTES 45 SECONDS WEST, 528.19 FEET TO A POINT;
THENCE SOUTH 46 DEGREES 35 MINUTES 00 SECONDS WEST, 484.71 FEET TO A POINT;
THENCE SOUTH 01 DEGREES 54 MINUTES 14 SECONDS WEST, 46.20 FEET TO A POINT;
THENCE SOUTH 52 DEGREES 45 MINUTES 24 SECONDS WEST, 64.47 FEET TO A POINT;
THENCE NORTH 01 DEGREES 54 MINUTES 14 SECONDS EAST, 107.45 FEET TO A POINT;
THENCE NORTH 46 DEGREES 35 MINUTES 00 SECONDS EAST, 483.84 FEET TO A POINT;
THENCE NORTH 00 DEGREES 11 MINUTES 45 SECONDS EAST, 511.14 FEET TO A POINT;
THENCE NORTH 10 DEGREES 11 MINUTES 32 SECONDS EAST, 171.87 FEET TO THE POINT OF BEGINNING AND CONTAINING 3.84 ACRES, MORE OR LESS.

TO HAVE AND TO HOLD unto the said grantee, its successors and assigns forever.

IN WITNESS WHEREOF, Grantor has caused this quitclaim to be signed in its behalf by its Mayor and attested by its Clerk-Treasurer, this the 14th day of January, 2016.

CITY OF HUNTSVILLE, ALABAMA
a municipal corporation

BY: _____
TOMMY BATTLE, MAYOR

ATTEST:

BY: _____
KENNETH BENNION
CLERK-TREASURER

**STATE OF ALABAMA
COUNTY OF MADISON**

I, the undersigned, a notary public in and for said County, in said State hereby certify that **TOMMY BATTLE AND KENNETH BENNION**, whose names as **MAYOR** and **CITY CLERK-TREASURER**, respectively, of **THE CITY OF HUNTSVILLE, ALABAMA**, a municipal corporation are signed to the foregoing document, and who are know to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, as such officers and with full authority, executed the same for and as the act of said corporation on the day the same bears day.

GIVEN under my hand and official seal this the 14th day of January, 2016.

Notary Public
My commission expires: _____

Grantor's Name and Address:
City of Huntsville
308 Fountain Circle
Huntsville, AL 35801

Grantee's Name and Address:
Mungo Homes of Alabama, Inc.
415 Church Street, Suite E, Building 2
Huntsville, AL 35801

Purchase Price: _____

Date of Sale: _____

THIS INSTRUMENT PREPARED BY:
LARRY O. DANIEL
WOLFE, JONES, WOLFE, HANCOCK, DANIEL & SOUTH, LLC
905 BOB WALLACE AVE.
HUNTSVILLE, ALABAMA 35801
256-534-2205

Ordinance No. 16-_____ (Cont.)
Mungo Homes of Alabama, Inc.

ADOPTED this the 14th day of January, 2016.

President of the City Council
of the City of Huntsville, Alabama

APPROVED this the 14th day of January, 2016.

Mayor of the City of
Huntsville, Alabama